

Art Unit: 3761

Examiner's Amendment/Comment/Reasons for Allowance

Terminal Disclaimer

The terminal disclaimer filed on 11 October 2010 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of US Patent Number 7,244,482 has been reviewed and is accepted. The terminal disclaimer has been recorded.

The terminal disclaimer filed on 11 October 2010 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of any patent granted on Application Number 11/826,266 has been reviewed and is accepted. The terminal disclaimer has been recorded.

The terminal disclaimer filed on 11 October 2010 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of any patent granted on Application Number 11/578,366 has been reviewed and is accepted. The terminal disclaimer has been recorded.

Withdrawn rejections:

In view of Applicants' Terminal Disclaimers filed on October 11, 2010, and approved and made of record on file date 10 November 2010, the obviousness type double patenting rejections of claims 7, 16 and 23 as unpatentable over claim 13 of US Patent No. 7,244,482 B2; as unpatentable over claim 35 of copending Application No. 11/578,366 (US 2008/0176023 A1) and claim 36 of Application No. 11/826,266 (US 2007/0262479 A1) made of record in the previous Office action, is accordingly withdrawn.

Art Unit: 3761

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Nick Baumann on 17 December 2010.

The application has been amended as follows:

Claims 1-6, 9 and 11 are canceled.

Reasons for Allowance

Claims 7-8, 10 and 14-23 are allowed.

The following is a statement of reasons for the indication of allowable subject matter: Applicants' amendments and remarks distinguish the claimed invention over the cited art as detailed in the previous Office action, file date 09 July 2010, see pages 3-4, paragraphs 9-12, for detailed analysis.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ginger T. Chapman whose telephone number is (571)272-4934. The examiner can normally be reached on Monday through Friday 9:30 a.m. to 6:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tatyana Zalukaeva can be reached on (571) 272-1115. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3761

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Ginger T Chapman/
Examiner, Art Unit 3761
12/17/10

/Tatyana Zalukaeva/
Supervisory Patent Examiner, Art Unit
3761